

Michael W. Sewright
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA for the use of
NORTH STAR TERMINAL & STEVEDORE
COMPANY, d/b/a Northern Stevedoring &
Handling, and NORTH STAR TERMINAL &
STEVEDORE COMPANY, d/b/a Northern
Stevedoring & Handling, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of
SHORESIDE PETROLEUM, INC., d/b/a Marathon
Fuel Services, and SHORESIDE PETROLEUM,
INC., d/b/a Marathon Fuel Services, on its own
behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER
ROCK PRODUCTS, INC.; UNITED STATES
FIDELITY AND GUARANTY COMPANY; and
ROBERT A. LAPORE,

Defendants.

Case No. 3:98-cv-009-HRH

**AFFIDAVIT OF MICHAEL W.
SEWRIGHT IN SUPPORT OF
NORTH STAR'S MOTION FOR
SUMMARY JUDGMENT
AGAINST USF&G UPON
USF&G'S AFFIRMATIVE
DEFENSES**

BURR, PEASE
& KURTZ
A PROFESSIONAL CORPORATION
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Affidavit of Michael W. Sewright
North Star Terminal & Stevedore Co., et al v. Nugget Construction et al
Case No. A98-009 CV
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STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Michael W. Sewright, being first duly sworn, duly states as follows:

1. I am an attorney with the law firm with Burr, Pease & Kurtz representing Plaintiff and Use Plaintiff North Star Terminal & Stevedore Company in this lawsuit.

2. Exhibits 1 through 7 attached hereto are true and correct copies of discovery requests propounded upon the defendants Nugget Construction, Inc. and United States Fidelity & Guaranty Company in this action and their responses thereto, as well as correspondence between attorneys relating to those requests and responses, as more completely described in the table of exhibits attached to this affidavit and preceding those exhibits in accordance with USDC Alaska Local Rule 10.1(c)(2).

Dated: May 1, 2006

Michael W. Sewright
Michael W. Sewright

SUBSCRIBED AND SWORN to before me this / 5th day of May, 2006.

Brooks Holborn
NOTARY PUBLIC FOR ALASKA

NOTARY PUBLIC FOR ALASKA

My commission expires: 4-21-09



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CERTIFICATE OF SERVICE

I certify that on the 1st day of May, 2006, a copy of the foregoing AFFIDAVIT OF MICHAEL W. SEWRIGHT IN SUPPORT OF NORTH STAR'S MOTION FOR SUMMARY JUDGMENT AGAINST USF&G UPON ITS AFFIRMATIVE DEFENSES was served electronically to:

Steven S. Shamburek, Esq.
Traeger Machetanz, Esq.
Paul D. Stockler
Herbert A. Viergutz
C. Patrick Stoll, Esq.

s/ Michael W. Sewright

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**TABLE OF EXHIBITS IN SUPPORT OF NORTH STAR'S MOTION FOR
SUMMARY JUDGMENT AGAINST USF&G UPON USF&G'S AFFIRMATIVE
DEFENSES**

Exhibit No.	Description
1.	North Star's Second Set of Discovery Requests to Defendant United States Fidelity & Guaranty Company, dated February 14, 2006
2.	North Star's Second Set of Discovery Requests to Defendant Nugget Construction, Inc., dated February 14, 2006
3.	United States Fidelity and Guaranty Company's Responses to Plaintiff North Star Terminal & Stevedore Company's Second Set of Discovery Requests, dated March 16, 2006
4.	Nugget's Responses to North Star's Second Set of Discovery Requests to Defendant Nugget Construction, Inc., dated March 20, 2006
5.	Letter of attorney Steven J. Shamburek to attorney Herbert A. Viergutz dated April 4, 2006
6.	Letter from Mr. Viergutz to Mr. Shamburek in response, dated April 10, 2006
7.	E-mail from attorney Michael W. Sewright to attorneys Herbert Viergutz and Tom Krider dated April 27, 2006